

No. _____

IN THE COURT OF CRIMINAL APPEALS OF TEXAS

FILED
COURT OF CRIMINAL APPEALS
7/31/2017
DEANA WILLIAMSON, CLERKKEITHRICK THOMAS
Appellant/Petitioner,
V.STATE OF TEXAS
Appellee/Respondent.

**FIRST UNOPPOSED MOTION FOR EXTENSION OF TIME
TO FILE PETITION FOR DISCRETIONARY REVIEW**

TO THE HONORABLE SUPREME COURT OF TEXAS:

Comes Now Appellant/Petitioner and files this his First Unopposed Motion for Extension of Time to File Petition for Discretionary Review. In support of this motion, Appellant/Petitioner shows the following:

1. Appellant/Petitioner was convicted of the felony offense of Possession of a Controlled Substance Penalty Group 1 1-4 Grams on February 23, 2016. Appellant/Petitioner was assessed a sentence of two (2) years imprisonment on March 14, 2016. Notice of appeal was given on March 14, 2016. On October 27, 2016, the 14th Court Appeals set the appellate case for submission on December 7, 2016. The case was submitted on December 7, 2016. The 14th Court of Appeals - Houston Division rendered its opinion and judgment in Keithrick Thomas, Appellant

vs. The State of Texas, Appellee, No. 14-16-00230-CR, on June 8, 2017. The petition for review was due on July 10, 2017.

2. Appellant/Petitioner requests an extension of time of thirty (30) days, to August 23, 2017. This is Appellant/Petitioner's first request for an extension of time in this case. No prior extensions have been granted to the Appellant/Petitioner in this case.

3. Appellant/Petitioner relies on the following facts as a reasonable explanation for the requested extension of time: Appellant/Petitioner's counsel, in addition to preparing a brief on the merits in this case, must also devote time to additional matters and among other pending cases, since the 14th Court of Appeals issued its Opinion in the instant case, Counsel had due a Motion to Vacate, Set Aside or Correct a Sentence in a complex federal matter. Also, Counsel was on vacation the week of June 26 - 30, 2017, which notice was duly and timely filed. Further, Appellant/Petitioner was a passenger in a vehicle that was involved in an auto accident.

Appellant/Petitioner suffered a cervical spine fracture. As a result, Appellant/Petitioner was placed in a position of relying on Appellant/Petitioner's family to assist with generating Appellant/Petitioner's legal fees, which contributed to delay.

4. The undersigned has conferred with opposing counsel, who

indicated there was no opposition to this request.

WHEREFORE PREMISES CONSIDERED, Appellant/Petitioner prays that this Court grant this motion for extension of time, extending the time to file Appellant/Petitioner's Petition for Discretionary Review to August 23, 2017.

Respectfully submitted,

/s/ N Westbrooks

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CERTIFICATE OF CONFERENCE

As required by Tex. R. App. P. 10.1(a)(5), I certify that I have

conferred with Harris County Assistant District Attorney Clint Morgan, who indicated that this motion is unopposed.

/s/ N Westbrooks
Nicolette Westbrooks

CERTIFICATE OF SERVICE

I certify that, on July 24, 2017, I served a copy of this motion through

the electronic filing manager on the following: State of Texas, by and through Clint Morgan, 1201 Franklin Street, Suite 600, Houston, Texas 77002.

/s/ N Westbrooks
Nicolette Westbrooks